

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 18-cv-12174

v.

U.S. DISTRICT COURT JUDGE
GERSHWIN A. DRAIN

DENNIS R. OTT AND TRACY R. OTT,

Defendants.

ORDER REGARDING MATTERS DISCUSSED AT FINAL PRETRIAL CONFERENCE

The Final Pretrial Conference for this matter was held on October 3, 2019 at 10:00 a.m. The Court communicated with the parties about upcoming deadlines and procedures in preparation for trial, which will be held on October 29 and 30, 2019.

The relevant information is listed below:

- The pretrial brief will include proposed findings of fact and conclusions. The brief is limited to ten pages, with no more than five pages dedicated to the willfulness definition issue. The brief should be submitted at least one week before trial.
- The posttrial brief is limited to fifteen pages. The Court will accept a brief and a response, but any briefing beyond that will require permission from the Court.
- Each party attempted to roughly estimate the amount of time they would spend with each witness. The government estimated about four hours with Mr. Ott, three hours with Mr. Weide, and two hours with Christina Murphy. If Mrs. Ott is called to testify, the government does not anticipate more than two hours with her. Separately, Defendants

anticipate spending about two hours with Mr. Ott, two hours with Mr. Weide, and one hour each with Mr. Murphy and Mrs. Ott. These time estimates are inclusive of cross-examination and redirect if required.

- Opening and closing statements will be limited to no more than thirty minutes per party.
- The parties will submit an Amended Proposed Joint Final Pretrial Order reflecting the relevant updates no more than a week after the Final Pretrial Conference date.
- The parties will submit a draft order to permit counsel to bring in their cell phones, laptops, and other electronic equipment necessary for trial.

IT IS SO ORDERED.

s/Gershwin A. Drain
GERSHWIN A. DRAIN
UNITED STATES DISTRICT JUDGE

Dated: October 7, 2019

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was mailed to the attorneys of record on this date, October 7, 2019, by electronic and/or ordinary mail.

s/Teresa McGovern
Case Manager

